

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WISDOM WEBSTER,

Defendant.

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8:12CR155

ORDER

This matter is before the court on the motion of First Assistant Federal Public Defender Shannon P. O'Connor and the Office of the Federal Public Defender for the District of Nebraska to withdraw as counsel for the defendant, Wisdom Webster (Webster) (Filing No. 25) and Webster's motion to dismiss current counsel and to appoint legal assistance (Filing No. 30). The court held a hearing on the motions on August 28, 2012. The court finds there is rupture of the attorney-client relationship which is beyond repair. In the interest of justice, Mr. O'Connor's and the Office of the Federal Public Defender's motion to withdraw (Filing No. 25) and Webster's motion to dismiss current counsel and to appoint legal assistance (Filing No. 30) are granted.

Joseph F. Gross, Jr., 8712 West Dodge Road, Omaha, NE 68114, (402) 391-4600, is appointed to represent Webster for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. O'Connor shall forthwith provide Mr. Gross with the discovery materials provided the defendant by the government and such other materials obtained by Mr. O'Connor which are material to Webster's defense.

The clerk shall provide a copy of this order to Mr. Gross and he shall enter his appearance in this matter forthwith.

In order to provide new counsel adequate time to prepare for trial, trial of this matter is rescheduled before Chief Judge Laurie Smith Camp and a jury commencing at **9:00 a.m. on November 6, 2012**. During the hearing on August 28, 2012, Webster acknowledged the time provided would be excluded from the computations under the Speedy Trial Act. The additional **time** arising as a result of the granting of the request, i.e., the time between

August 28, 2012, and November 6, 2012, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

IT IS SO ORDERED.

DATED this 28th day of August, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge